



PATENT

ATTORNEY DOCKET NO.: 048289-5003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

John M. MARYNOWSKI et al.

Application No.: 09/618,222

Filed: July 18, 2000

For: AN AUTOMATED TRADING SYSTEM
IN AN ELECTRONIC TRADING
EXCHANGE

Confirmation No.: 8771

Group Art Unit: 3624

Examiner: Daniel S. Felten

Mail Stop Amendment

Commissioner for Patents
U.S. Patent and Trademark Office
Mail Stop Amendment
Alexandria, VA 22314

Sir:

REQUEST TO CORRECT
INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)

In accordance with 35 U.S.C. § 116 and 37 C.F.R. § 1.48(a), Applicants respectfully request to correct the inventorship of the above-identified application by adding the name of Thomas M. O'Donnell as an inventor.

Pursuant to § 1.48(a), the following are filed concurrently herewith:

- a statement from Thomas M. O'Donnell that the error in inventorship occurred without deceptive intention on his part;
- a declaration from each inventor as required under 37 C.F.R. § 1.63;
- the processing fee of \$130.00 as set forth under 37 C.F.R. § 1.17(i); and

06/29/2006 MBEYENE1 00000044 500310 09618222

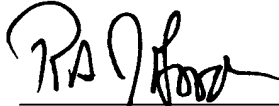
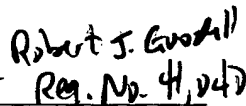
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- a written consent by the assignee, Edge Capture, LLC, to the correction of inventorship.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By:  
for John D. Zele Reg. No. 4,040
Reg. No. 39,887

Dated: June 27, 2006

Customer No. 009629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202-739-3000



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**INVENTOR'S STATEMENT REGARDING
CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)(2)**

I, Thomas M. O'Donnell, am an inventor of the invention set forth in at least one of the claims of the above-identified application. My name was erroneously left off the list of inventors. I hereby state that the error in inventorship occurred without deceptive intention on my part. This statement is being filed for the purpose of filing a Request to Correct Inventorship Under 37 C.F.R. § 1.48(a). I hereby request that the error regarding the inventorship of this application be corrected and I, Thomas M. O'Donnell, be added as an actual inventor of the above-identified application.

I further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so

made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.

Signature: Thomas M. O'Donnell

Typed Name: Thomas M. O'Donnell

Date: 6/23/06



COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

ATTORNEY DOCKET NO.: 048289-5003

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

AN AUTOMATED TRADING SYSTEM IN AN ELECTRONIC TRADING EXCHANGE

the specification of which:

is attached hereto; or

was filed as United States application Serial No. 09/618,222 on July 18, 2000 and was amended on November 26, 2003 (if applicable); or

was filed as PCT international application Number _____ on _____ and was amended under PCT Article 19 on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

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PRIOR FOREIGN APPLICATION(S):

COUNTRY (if PCT, indicate PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			<input type="checkbox"/> Yes <input type="checkbox"/> No
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			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

Combined Declaration For Patent Application and Power of Attorney - (Continued)
(includes Reference to PCT International Applications)
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U.S. PROVISIONAL APPLICATIONS

U.S. PROVISIONAL APPLICATION NO.

U.S. FILING DATE

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or §365(c) of any PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT:

U.S. APPLICATIONS		STATUS (Check One)		
U.S. APPLICATION NO.	U.S. FILING DATE	PATENTED	PENDING	ABANDONED

POWER OF ATTORNEY: As a named inventor, I hereby appoint the registered practitioners of Morgan, Lewis & Bockius LLP included in the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number.

Customer Number: 009629

Direct Telephone Calls To:

John D. Zele
(202) 739-5418

Combined Declaration For Patent Application and Power of Attorney - (Continued)

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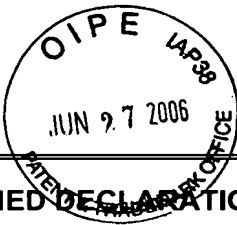
FULL NAME OF SOLE OR FIRST INVENTOR	John M. MARYNOWSKI	
RESIDENCE & CITIZENSHIP	116 Lancaster Ave Buffalo, NY 14222	COUNTRY OF CITIZENSHIP USA
POST OFFICE ADDRESS	Same as above	
FIRST OR SOLE INVENTOR'S SIGNATURE	<i>John Marynowski</i>	DATE 22-Jun-06
FULL NAME OF SECOND INVENTOR	Catalin D. VOINESCU	
RESIDENCE & CITIZENSHIP		COUNTRY OF CITIZENSHIP Romania
POST OFFICE ADDRESS	Same as above	
SECOND INVENTOR'S SIGNATURE		DATE
FULL NAME OF THIRD INVENTOR	Stefan PUSCASU	
RESIDENCE & CITIZENSHIP		COUNTRY OF CITIZENSHIP Romania
POST OFFICE ADDRESS	Same as above	
THIRD INVENTOR'S SIGNATURE		DATE

Listing of Inventors Continued on attached page(s) ☒ Yes ☐ No

Combined Declaration For Patent Application and Power of Attorney - (Continued)
(includes Reference to PCT International Applications)
ATTORNEY DOCKET NO.: 048289-5003

FULL NAME OF FOURTH INVENTOR	Thomas M. O'DONNELL	
RESIDENCE & CITIZENSHIP	1201 South Valley Hill Road Woodstock, IL 60098	COUNTRY OF CITIZENSHIP USA
POST OFFICE ADDRESS	Same as above	
FOURTH INVENTOR'S SIGNATURE		DATE

Listing of Inventors Continued on attached page(s) ☐ Yes ☒ No



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Patent and Trademark Office

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AN AUTOMATED TRADING SYSTEM IN AN ELECTRONIC TRADING EXCHANGE

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(202) 739-5418**

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FULL NAME OF SOLE OR FIRST INVENTOR	John M. MARYNOWSKI	
RESIDENCE & CITIZENSHIP		COUNTRY OF CITIZENSHIP USA
POST OFFICE ADDRESS	Same as above	
FIRST OR SOLE INVENTOR'S SIGNATURE	DATE	
FULL NAME OF SECOND INVENTOR	Catalin D. VOINESCU	
RESIDENCE & CITIZENSHIP	22 HOBDAV STREET LONDON E14 6AZ UNITED KINGDOM	COUNTRY OF CITIZENSHIP Romania
POST OFFICE ADDRESS	Same as above	
SECOND INVENTOR'S SIGNATURE		DATE 6/20/2006
FULL NAME OF THIRD INVENTOR	Stefan PUSCASU	
RESIDENCE & CITIZENSHIP		COUNTRY OF CITIZENSHIP Romania
POST OFFICE ADDRESS	Same as above	
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Listing of Inventors Continued on attached page(s) ☒ Yes ☐ No

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FOURTH INVENTOR'S SIGNATURE		DATE

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U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

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U.S. FILING DATE

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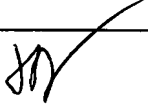
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SECOND INVENTOR'S SIGNATURE		DATE
FULL NAME OF THIRD INVENTOR	Stefan PUSCASU	
RESIDENCE & CITIZENSHIP	Str. Dezrobirii 42, bl. 08A, sc. 3, ap. 150 060988 Bucuresti, ROMANIA	COUNTRY OF CITIZENSHIP Romania
POST OFFICE ADDRESS	Same as above	
THIRD INVENTOR'S SIGNATURE 		DATE June 21st, 2006

Listing of Inventors Continued on attached page(s) ☒ Yes ☐ No

Combined Declaration For Patent Application and Power of Attorney - (Continued) (includes Reference to PCT International Applications) ATTORNEY DOCKET NO.: 048289-5003		
FULL NAME OF FOURTH INVENTOR	Thomas M. O'DONNELL	
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POST OFFICE ADDRESS	Same as above	
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Listing of Inventors Continued on attached page(s) ☐ Yes ☒ No

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Patent and Trademark Office

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John M. MARYNOWSKI et al.)	Confirmation No.: 8771
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EXCHANGE)	

Commissioner for Patents
U.S. Patent and Trademark Office
Mail Stop Amendment
Alexandria, VA 22314

**CONSENT BY ASSIGNEE REGARDING REQUEST
TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)(5)**

1. Edge Capture, LLC, a corporation of Illinois, is the assignee of the above-identified application.
2. Edge Capture, LLC hereby gives its written consent to the addition of one actual inventor Thomas M. O'Donnell to the inventorship of the above-identified application.
3. Pursuant to 37 C.F.R. § 3.73(b), Edge Capture, LLC was the assignee of John M. Marynowski, Catalin D. Voinescu, and Stefan Puscasu. This assignment is documented at least by the assignment document recorded in the U.S. Patent and Trademark Office at Reel No. 010988, Frame No. 0913.

4. Further pursuant to 37 C.F.R. § 3.73(b), Edge Capture, LLC is also the assignee of Thomas M. O'Donnell as an inventor in the above-identified patent application. This assignment is documented by the assignment document attached hereto and being submitted on an even date herewith for recordation with the U.S. Patent and Trademark Office.

5. The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

6. I further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.

Signature: Thomas M. O'Donnell

Printed/Typed Name: Thomas M. O'Donnell

Title: CEO Edge Capture, LLC

Date: 6/23/06

ASSIGNMENT

WHEREAS I/We, the below named inventor(s), [hereinafter referred to as Assignor(s)], have made an invention entitled:

AN AUTOMATED TRADING SYSTEM IN AN ELECTRONIC TRADING EXCHANGE

for which I/WE executed an application for United States Letters Patent concurrently herewith; or on ____; or filed an application of United States Letters Patent on July 18, 2000, (Application No. 09/618,222); and

WHEREAS Edge Capture, LLC, a corporation of Illinois (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention in all countries throughout the world, and in and to the application of United States Letters Patent on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it known that, for good and valuable consideration the receipt of which from Assignee is hereby acknowledged, I/WE, as assignor(s), have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the Assignee, its lawful successors and assigns, MY/OUR entire right, title, and interest in and to this invention and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of such applications, and all applications for Letters Patent which may hereafter be filed for this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country, and all extensions, renewals, and reissues thereof; and I/WE hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent of this invention to Assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, I/WE HEREBY covenant that I/WE have the full right to convey the interest assigned by this Assignment, and I/WE have not executed and will not execute any agreement in conflict with this Assignment;

AND, I/WE HEREBY further covenant and agree that I/WE will, without further consideration, communicate with Assignee, its successors and assigns, any facts known to ME/US respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said Assignee, its successors or assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the Assignee, its successors and assigns.

IN TESTIMONY WHEREOF, I/WE have hereunto set our hand(s).

Thomas M. O'Donnell
Full Name of Assignor

1201 South Valley Hill Road, Woodstock, IL 60098
Address

Thomas M. O'Donnell
Assignor's Signature

6/23/06
Date

Names of additional inventors attached ☐ Yes ☒ No

Morgan, Lewis & Bockius LLP

1-WA/2588082.1



Angel Losada
6-23-06